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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

10 JOSETTE H.,

11 Plaintiff,

12 vs.

13 COMMISSIONER OF SOCIAL SECURITY,

14 Defendant.

Civil No. 3:19-CV-05774-MAT

ORDER

15 The parties, acting through their respective counsel, hereby stipulate and agree that the
16 above-captioned case should be reversed and remanded pursuant to sentence four of 42 U.S.C. §
17 405(g). Upon remand, the Appeals Council will continue to search for the missing non-electronic
18 claim file, which is currently missing. If the claim file cannot be located in a reasonable period of
19 time (30 days), the Appeals Council will remand to an Administrative Law Judge for
20 reconstruction of the administrative record, including holding a de novo hearing and issuing a
21 new decision.

22 Plaintiff is entitled to reasonable attorney fees, expenses, and costs under the Equal
23 Access to Justice Act, 28 U.S.C. §§ 2412 and 1920, upon proper request to the Court.
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3 DATED this 26th day of February, 2020.

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6 Mary Alice Theiler
7 United States Magistrate Judge
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9 Presented by:

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